

RECEIVED  
CENTRAL FAX CENTER  
APR 13 2007

### REMARKS

Favorable reconsideration of this application is respectfully requested in view of the above amendments and following remarks. Claims 100, 104-106, 108-109, and 124 have been canceled without prejudice or disclaimer. Claims 128-134 are added, and are supported, for example in previously presented claims, pages 24-26 of Applicants' disclosure, and particularly at page 25, lines 1-9. As a result, the dependencies of claims 101-103, 107, 110-123, and 125-127 have been revised. No new matter has been added. Claims 101-103, 107, 110-123, and 125-134 are pending.

The final Office Action mailed January 16, 2007 included rejections of claims 100-127 as being obvious over Toyosawa et al. (US 5716997) in view of von Bonin et al. (US 4992481) and as being obvious over von Bonin et al. in view of Toyosawa et al. These rejections are rendered moot with respect to the canceled independent claims 100 and 124. Applicants do not concede the correctness of these rejections. Applicants now respectfully submit that the added independent claims 128 and 132 are allowable for at least reasons discussed herein, and that the remaining dependent claims are allowable for at least the reasons specified with respect to claims 128 and 132.

With regard to added claims 128 and 132, claim 128 is an eraser that requires, among other features, an eraser base material selected from the group consisting of (a) a plastic-based eraser composition, (b) a rubber-based eraser composition, and (c) an elastomer-based eraser composition. Further each of the plastic-based, rubber-based, and elastomer-based eraser compositions requires a filler. Claim 132 is an electric-eraser that includes many features of claim 128, namely that each of the plastic-based, rubber-based, and elastomer-based eraser compositions requires a filler.

The cited references do not disclose or suggest at least the features of claims 128 and 132. Toyosawa et al. merely discloses that filler may be further blended for example in the void portions of the structure. (See col. 6, lines 13-21.) However, Toyosawa et al. does not disclose or suggest a filler being a component of the eraser base material, as required by claims 128 and 132. That is, Toyosawa et al. does not disclose or suggest that each of the plastic-based, rubber-based, and elastomer-based eraser compositions requires a filler. Thus, Toyosawa et al. does not disclose or suggest claims 128 and 132 for at least the foregoing.

The von Bonin et al. reference does not further the rejection of the claims. This reference discloses filler materials. (See col. 6, line 57 to col. 7, line 26.) However, von Bonin et al. does not disclose or suggest the features of claims 128 and 132, namely the reference does not disclose or suggest a filler being a component of the eraser base material, where the filler is required in each of the plastic-based, rubber-based, and elastomer-based eraser compositions of the eraser base material. Thus, von Bonin et al. does not remedy the deficiencies of Toyosawa et al.

Furthermore, von Bonin et al. is directed to flame retardants and Toyosawa et al. is generally directed to polymeric reticulated structures. However, the references are not directed to an eraser, and Applicants respectfully submit that the references are not relevant to the presently claimed invention, and that any combination with Toyosawa et al. would be unreasonable. Moreover, the features of claims 128 and 132 can provide an eraser with improved structure and performance. For example, the wear rate and the rate of erasure can be improved as a result of the filling rate recited by the claims. (See for example page 14-15 of Applicants' disclosure.) An eraser is provided that can erase more smoothly and can leave scraps on paper or the surface of the eraser and collected in more continuous form, rather than being scattered all over, or adhering to the eraser. (See for example Table 1 and pages 38-39 of Applicants' disclosure.) Furthermore, an eraser is provided with a higher surface hardness while also having a lower sticking strength to further improve the erasing and eraser scrap collecting properties. (See for example Figure 7 and Table 2 of Applicants' disclosure.) The references cited neither disclose nor suggest the features claimed, nor the benefits enjoyed therefrom. For at least the foregoing, Applicants respectfully submit that claims 128 and 132 are allowable.

With regard to claims 131 and 134, Applicants respectfully submit that these claims are separately allowable for at least the following reasons. Claims 131 and 134 require that the thermosetting resin is limited to consist of the melamine-based resin. The references cited, however, do not teach or suggest claims 131 and 134. For example, Toyosawa et al. teaches that its copolymer has a main component of ethylene and propylene. The von Bonin et al. reference teaches that the skeleton portion is a soft polyurethane foam. While the references disclose a melamine resin foam as an example material, among a host of examples, the references do not teach or suggest that the

thermosetting resin would be limited to only a melamine-based resin. In fact, none of the references even use a melamine-based resin in the examples described. Applicants respectfully submit that one of skill in the art would not have been motivated to limit the thermosetting resin to a melamine-based resin.

Furthermore, Applicants have found that using a melamine-based resin contributes to such advantageous characteristics for an eraser, in that an eraser is easily susceptible to breaking by rubbing. See for example page 22, line 21 to page 23, line 8 and Examples 1 and 7 in Table 1 of Applicants' disclosure. The references cited, however, do not address such issues because the references are directed to different products and do teach or suggest claims 131 or 134. For at least the foregoing, Applicants respectfully submit that claims 131 and 134 are allowable.

In view of the above amendments and remarks, Applicants believe that the pending claims are in a condition for allowance. Favorable consideration in the form of a Notice of Allowance is respectfully solicited. If any questions arise regarding this communication, the Examiner is invited to contact Applicants' representative listed below.



Dated: April 13, 2007

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902  
Minneapolis, MN 55402-0902  
(612) 455-3800

By: 

Douglas P. Mueller  
Reg. No. 30,300  
DPM/baw